

FRANKLIN COUNTY AREA PLAN COMMISSION
MEMORANDUM & MINUTES
October 10, 2012 @ 7:00 p.m.
COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203

Those present: Area Plan Commission Members: John Steele Rick McMillin
 Joe Jonas Joe Gillespie Robert Braun Ed Derickson Stanley
 Monroe
 Commission Attorney: Tammy Davis
 Executive Director: Larry J. Franzman
 Recording Secretary: Cindy C. Orschell

Mr. Steele opened the meeting with the pledge of allegiance.

MINUTES-9/12/2012-MOTION-Mr. McMillin motioned to approve the minutes with the correction of changing "contact" to "contract" under CU-2-12-19973, second by Mr. Derickson. AIF. MC. Mr. Derickson questioned the 26.8 miles as compared to the 15 miles as listed in the minutes and what is the true bond amount now?

CU-2-12-19973 FOR ENTERPRISE LIQUIDS PIPELINE, LLC to permit a transmission line (pipeline) in Highland and Whitewater Townships. Mr. Bruce Olson, Lloyd Harrison and Phil McKiernan, Attorney was present. Mr. Ted Cooley was present and said the bond amount is now 3.5 million. Mr. Gillespie received a copy of the construction plans but he still has concerns about the maintenance of the subsurface drains and the condition of the county roads in the freezing and thawing months of February, March and April with the construction. They have received all 82 signatures from property owners concerning the right-of-ways, the bond is good for 1 year after the completion of the construction. Mr. Monroe feels the bond should be extended to 2 years. Mr. Scott McDonough, County Commissioner has no problem with the 2 year bond. **MOTION-** Mr. Monroe motioned to send a favorable recommendation to the Board of Zoning Appeals with a recommendation to the County Commissioners for a 2 year bond, Mr. Braun 2nd. AIF. MC. There will be a 2 hour notification to the Highway Foreman in the form of an emergency, if its routine construction they will be notified within 72 hours. Mr. Cooley read a couple changes made to the previous agreement with the County Commissioners and Enterprise. The 3.5 million bond is intended for the roadways. There is no recourse for the County after the bond expires, but the Commissioners have not signed the agreement yet. Mr. Gillespie still expresses concern on the county roads if the construction is in the months of February, March and April. The estimated construction start date is May 1, 2013, with 2 to 3 miles a day, but they are unaware of where they will start, only east to west. Mr. McMillin feels the estimated construction date of May 1st should be included in the motion. They have no permits or approvals from the DOT, IDEM, INDOT, DNR or the Army Corps of Engineers, they estimate they will get them around March of 2013. Mrs. Davis recommends to retract all of the previous motions. Mr. McMillin motioned to retract the previous motions, Mr. Steele 2nd. AIF. MC. Mr. Monroe motioned to send a favorable recommendation to the Board of Zoning Appeals with a recommendation to the County Commissioners for a 2 year bond instead of the 1 year bond, Mr. Jonas 2nd. AIF. MC.

JAMES BARRICKLOW CASE- Mr. McMillin questioned if we have a report back from IDEM and the status of the garnishment order. The garnishment order was signed on September 28, 2012 in the amount of \$3,000.00 and nothing has been received from IDEM. The fine is now up to \$ 1,103,000.00. The \$3,000.00 includes attorney fees of \$500.00.

MASTER COPY- Mr. Franzman questioned the board about having master copy of the Franklin County Citizens Zoning Ordinance.

ADJOURNMENT-MOTION- Mr. Jonas motioned to adjourn the meeting, Mr. Steele 2nd. AIF.
MC. Meeting adjourned at 7:50 p.m.

John Steele, President

Cindy C. Orschell, Recording Secretary